

City Surveyor's Department

Peter Bennett MA(Cantab), FRICS

The City Surveyor

Reservoir Policy Team

Defra,

Area 2D,

Ergon House,

London,

SW1P 2AL

Telephone 020 7332 3122

Email paul.monaghan
@cityoflondon.gov.uk

Our ref CS/Prj/PM/MH

Date 14 May 2012

Dear Sirs

Consultation Response to Amendment of 1975 Act

We agree with many of the amendments proposed in the Flood and Water Management Act 2010 but with regard to the consultation there are specific areas of concern we believe should be addressed.

The proposal for classifying cascades by the most significant reservoirs is accepted. We propose that registration is undertaken for the cascade as a whole and not each individual reservoir within the cascade. This will reduce the bureaucratic burden of registering every pond and minimise the risk of breaching the new regulations. This will also impact on the classification, description and charges applied. We would like further information on how the new requirements will be applied to cascades in multiple ownership as at Hampstead Heath the upper two ponds in one of the cascades fall into this category.

Secondly we are concerned at the proposal to create new criminal offences in relation to the registration of large raised reservoirs. These are a disproportionate form of control to ensure compliance. If not applied sensitively, there could be a risk that criminal prosecution could arise from an unforeseen administrative error.

We note that the consultation considers some of the costs involved with surveying and inspecting of reservoirs. Based on our own empirical evidence, these estimates are lower than the costs we have incurred in work recently undertaken at Hampstead Heath surveying and inspecting our reservoirs. We therefore believe that the estimated costs should be re-considered.

We look forward to revised proposals and would be happy to meet with your representatives to help develop these.

Yours faithfully

Peter Bennett
City Surveyor